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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
10 WESTERN DIVISION

11 UNITED STATES OF AMERICA, ) NO. CR- 11-617- (RCF)  
12 )  
13 Plaintiff, ) CRIMINAL MOTION AND TRIAL ORDER  
14 )  
15 v. ) (CLASS A MISDEMEANOR)  
16 )  
17 EDGAR LEE PEAVY, )  
18 )  
19 Defendant. )  
20 \_\_\_\_\_ )

21 This matter is set for trial on March 16, 2012, at 1:30 p.m., before the Honorable Rita  
22 Coyne Federman, United States Bankruptcy Courthouse, Courtroom 2, 1415 State Street,  
23 Santa Barbara, CA 93101.

24 **Filing of Information and Arraignment:**

25 1. Counsel for the Government shall file an Information, which shall include all charges  
26 that are proceeding to trial, on or before February 21, 2012, and shall email a courtesy copy of  
27 the Information to chambers and to the defense. The Court will arraign the defendant on the  
28 Information prior to the commencement of trial.

**Discovery:**

26 2. Counsel for both parties shall comply promptly with discovery and notice matters  
27 pursuant to Fed. R. Crim. P. 12, 12.1, 12.2, 12.3, 15, and 16. Within fourteen (14) days of the  
28 trial setting, counsel shall meet and confer concerning discovery. Counsel shall discuss what

1 discovery remains outstanding and shall agree to a date for completing their discovery  
2 obligations, subject to the ongoing duty to provide additional discovery that may become  
3 available. The meet and confer conference may be conducted by telephonic conference call.

4 3. Expert disclosure pursuant to Rule 16 shall be made no later than fourteen (14) days  
5 prior to trial. Counsel are reminded that such disclosures must include a written summary that  
6 describes the expert witness's "opinions, the bases and reasons for those opinions, and the  
7 witness's qualifications." Fed. R. Crim. P. 16(a)(1)(G) & (b)(1)(C).

8 **Motions:**

9 4. All pre-trial motions, including any notice of F.R.E. 404(b) evidence, shall be filed  
10 and served no later than February 27, 2012. Oppositions shall be filed and served on or  
11 before March 5, 2012. Replies, if any, must be filed and served on or before March 7, 2012.

12 A courtesy copy of all papers shall be emailed to chambers at the following address:  
13 rcf\_chambers@cacd.uscourts.gov.

14 6. All papers filed with the Court shall comply with the Local Rules of Practice of the  
15 Central District of California, including Local Rules 7 and 11, and Local Criminal Rule 12.

16 7. A hearing on the motion[s] is set for March 16, 2012, at 1:30 p.m. If the resolution of  
17 the motion may warrant a continuance of the trial date, the party filing the motion shall include  
18 a statement to that effect in the moving papers.

19 **Pretrial Conference:**

20 8. A telephonic pre-trial conference is set for March 13, 2012, at 10:00 a.m. Counsel  
21 and the defendant are directed to call (213) 894-0800 at 10:00 a.m. and enter a password that  
22 will be provided to them by the Courtroom Deputy Clerk one (1) day prior to conference. After  
23 entering the password, counsel and the defendant shall state their name, and remain on hold  
24 until the beginning of the conference. If the defendant is represented by counsel, the  
25 defendant may elect to waive his or her appearance for the telephonic conference. Self-  
26 represented defendants must appear as ordered.

27 9. At the pre-trial conference, counsel for the Government shall provide an estimate of  
28 the length of its case in chief, and the number and names of witnesses it intends to call. The

1 parties shall identify any unusual legal or evidentiary issues that may be raised in the case.  
2 The Court will give counsel an opportunity to discuss administrative matters and anticipated  
3 procedural or legal problems. If additional issues arise during the trial, counsel shall inform the  
4 Courtroom Deputy Clerk.

5 **Trial:**

6 10. On the first day of trial, counsel for the Government shall present the Courtroom  
7 Deputy Clerk with the following documents:

- 8 a. Two copies of the Government's witness list;
- 9 b. Two copies of the Government's exhibit list;
- 10 c. All of the Government's exhibits, with official exhibit tags affixed, bearing  
11 the same number as the shown on the exhibit list; and
- 12 d. A bench copy of all exhibits that can be reproduced.

13 11. Government counsel shall present defense counsel or a self represented defendant  
14 with a copy of the Government's witness list, exhibit list, and a copy of all exhibits that can be  
15 reproduced.

16 12. Defense counsel and self-represented defendants shall deliver their exhibits to the  
17 Courtroom Deputy Clerk on the first day of trial. The defense is responsible for affixing exhibit  
18 tags, complete with the case name and case number, to each exhibit to be used in defendant's  
19 case. The defense shall provide the Court and Government counsel with an additional copy of  
20 defendant's exhibits as introduced.

21 13. Attorneys and self-represented defendants shall advise the Courtroom Deputy  
22 Clerk and the opposing counsel or party immediately upon becoming aware of a calendar  
23 conflict, or an intention to request a continuance of a calendared event, or any other events  
24 that might prevent a matter from proceeding as calendared.

25  
26 Dated: September 19, 2011

/s/ RITA COYNE FEDERMAN  
RITA COYNE FEDERMAN  
UNITED STATES MAGISTRATE JUDGE